



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **30.10.2019**

CORAM:

THE HONOURABLE **MR. JUSTICE M. SUNDAR**

W.P. (MD) No. 22849 of 2019

WEB COPY

S.Chandra

... Petitioner

/Vs./

1.The District Collector,
Office of the District Collector,
Trichy District.

2.The Thasildar,
Adi Dravidar And Tribal Welfare,
Thuraiyur Taluk, Trichy District.

3.The Revenue Inspector,
Office of the Revenue Inspector,
Thuraiyur Taluk, Trichy District.

4.The Land Surveyor,
Office of the Land Surveyor,
Thuraiyur Taluk, Trichy District.

... Respondents

PRAYER:- Writ Petition - filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, to direct the the respondent No.4 to conduct survey relating to petitioner's 0.01.0 cent land in SF.No.47/5c, bearing Plot No.59 in Govindapuram, Thuraiyur Taluk, Trichy District by considering the petitioner's representation dated 09.07.2018.

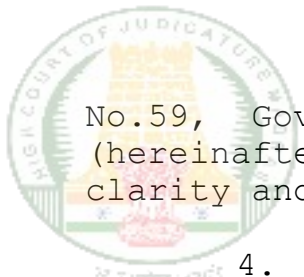
For Petitioner	: Mr.S.Veerapandi Selvaraj for Mr.K.M.Karunakaran
For Respondents	: Mr.Aayiram K.Selvakumar Additional Government Pleader

ORDER

Mr.S.Veerapandi Selvaraj, learned counsel on behalf of writ petitioner and Mr.Aayiram K.Selvakumar, learned Additional Government Pleader who accepts notice on behalf of all the four (4) respondents are before this Court.

2. With consent of learned counsel on either side, main writ petition is taken up, heard out and is being disposed of.

3. Plea of the writ petitioner is to direct the fourth respondent to conduct survey regarding a 'piece of land bearing Plot



No.59, Govindapuram Village, Thuraiyur Taluk, Trichy District' (hereinafter referred to as 'said plot' for the sake of brevity, clarity and convenience).

4. Plea of the writ petitioner is predicated on the ground that the said plot was assigned to the writ petitioner on 27.12.1998 by Adi Dravidar Welfare Department of the Government.

5. Learned State counsel on instructions from the second respondent ie., Adi Dravidar and Tribal Welfare, Trichy District, on behalf of whom an officer from the office of second respondent is present in Court submits that 'total extent of 4.64 acres land in then Thuraiyur Taluk (now Govindapuram Village, Thuraiyur Taluk), Trichy District' (hereinafter referred to as 'said land' for the sake of brevity) was assigned to 149 eligible beneficiaries in 1998. It is also submitted that one of the conditions of assignment is that the assignees should put up superstructure in the extents of land assigned to them within a time frame, but, none of the assignees have complied with this condition. On this basis, it is submitted that resumption of said land *inter alia* on the ground of breach of condition of assignment is in the anvil. It is submitted that post-resumption, the State intends to revisit the entire exercise.

6. There is no disputation or disagreement before this Court that writ petitioner has not put up any superstructure in said plot.

7. In the light of the aforementioned narrative, the plea of the writ petitioner cannot be entertained at this point of time. It is made clear that if there is assignment post-resumption, this order will not impede the writ petitioner in this regard if she is otherwise eligible.

8. Instant Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar(CO)

// True Copy //

Sub Assistant Registrar(CS)

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To

1.The District Collector,
Office of the District Collector,
Trichy District.



2. The Thasildar,
Adi Dravidar And Tribal Welfare,
Thuraiyur Taluk, Trichy District.

3. The Revenue Inspector,
Office of the Revenue Inspector,
Thuraiyur Taluk, Trichy District.

4. The Land Surveyor,
Office of the Land Surveyor,
Thuraiyur Taluk, Trichy District.

+1CC TO MR.K.M.KARUNAKARAN, Advocate Sr. No.95216
+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 95480

Order made in
W.P. (MD) No. 22849 of 2019
Dated:
30.10.2019

TR(14.11.2019) 3P 7C